

Appln No. 10/559,604
Amdt date June 15, 2009
Reply to Office action of June 9, 2009

REMARKS/ARGUMENTS

Responsive to the Non-Compliant Amendment mailed June 9, 2009, the claim status identifiers have been corrected

Claims 1-3, 5-8, 11-26 and 28 are pending. Claims 1-3, 5-8, 11-17, 19-24 and 26 have been amended. Claims 4, 9-10 and 27 have been cancelled and claim 28 is new.

Claim 27 has been objected to under 37 CFR 1.75(c). Applicants have canceled claim 27.

Claims 1-27 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. In claim 1, Applicants have amended line 4 of claim 1 to recite "connected to the retaining section for guiding a window pane." Applicants have removed "multifunctional support" from the body of the claims. This recitation now only appears in the preamble of the claims. Applicants have replaced "functional element" with "lock." Applicants have provided antecedent basis in claim 1 for "the extension direction of the subsection." Applicants have amended claims 8 and 11 to remove or amend the limitations upon which the indefiniteness objection is based. Applicants have amended claim 14 to recite "a first fastening point" and a "second fastening point" rather than "one fastening point" and "another fastening point." Applicants have also amended "a door outside handle holder" as recited in claim 22 to clarify this language. Applicants have amended claim 26 to clarify "one free end." The remaining claims not discussed above have been amended accordingly to overcome the 35 U.S.C. 112 rejection.

Claims 1-14, 16-21, 25 and 26 have been rejected under 35 U.S.C. 102 over 102(b) over Staser (5,469,664). Applicants have amended claim 1 to recite "wherein the flexible connection in the other terminal zone of the subsection comprises at least one deformable region, the deformable region being deformable along the vehicle longitudinal axis and thus enabling a longitudinal displacement of the retaining section relative to the window guide along the vehicle longitudinal axis and perpendicular to the extension direction of the subsection between the two

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terminal zones of the subsection." Applicants believe that Staser does not teach or suggest the noted limitations of claim 1.

On page 7 of the Office action, the Examiner has stated that Staser shows a deformable region 48. Referring to FIG. 1 of Staser, the shaft 48 has a key 46 that frictionally engages the ramps 42 and 44 to maintain the glass run channel 30 in the operative position. However, Staser does not teach or suggest a deformable region (i.e., the shaft 48 of Staser) being deformable along the vehicle longitudinal axis and thus enabling a longitudinal displacement of the retaining section (i.e., panel 12 of Staser) relative to the window guide (i.e., window run channel 30 of Staser) along the vehicle longitudinal axis and perpendicular to the extension direction of the subsection between the two terminal zones (i.e., between joint 32 and 34 of Staser) of the subsection.

Because claim 1 does not teach or suggest the above-discussed limitations of claim 1, Applicants believe that claim 1 and dependent claims 2-14, 16-21, 25 and 26 are patentable over Staser.

Claims 22 and 23 have been rejected under 35 U.S.C. 103(a) over Staser in view of DE 29916066. Claim 24 has been rejected under 35 U.S.C. 103(a) over Staser in view of Morrison (US 6,823,628). Claims 15 and 17 have been rejected under 35 U.S.C. 103(a) over Staser in view of Staser II (5,535,553). Because claim 1 is patentable over Staser, Applicants believe that claims 15, 17 and 22-24 are patentable over Staser.

Applicants have presented new claim 28, which recites "wherein two fastening points are provided for the door lock, one on each side of the deformable region so that the deformable region is located between the two fastening points; wherein one fastening point for the door lock is provided on the retaining section and one fastening point is provided on the window guide." Staser and the other cited references fail to teach or suggest the fastening points as recited in claim 28. Furthermore, claim 28 recites "wherein one fastening point for the door lock has a sliding guide so that the door lock is displaceable relative to this fastening point." Staser and the other cited references fail to teach or suggest that one fastening point for the door lock has a


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sliding guide so that the door lock is displaceable relative to this fastening point as recited in claim 28.

Based on the above, Applications believe that claim 28 is patentable over Staser and the other cited references.

For the foregoing reasons, Applicants believe that the claims are in condition for allowance.

Respectfully submitted,
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